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PTO/BB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/655,999	
	Filing Date	September 5, 2003	
	First Named Inventor	Eric A. Schon et al.	
	Art Unit	1646	
	Examiner Name	Unknown	
Total Number of Pages in This Submission	13	Attorney Docket Number	5199-23

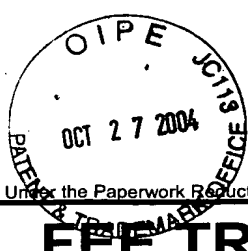
ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition for Revival	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input checked="" type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	Remarks 1. Copy of a Petition to Revive Unintentionally Abandoned Application. 2. Return postcard.	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Brown Raysman Millstein Felder & Steiner LLP		
Signature			
Printed name	Todd A. Holmbo		
Date	October 25, 2004	Reg. No.	42,665

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			
Typed or printed name	Diane Filatov	Date	October 25, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



Approved for use through 07/31/2006. OMB 0651-0032
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FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 685

Complete if Known

Application Number 10/655,999
Filing Date September 5, 2003
First Named Inventor Eric A. Schon et al.
Examiner Name Unknown
Art Unit 1646
Attorney Docket No. 5199-23

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit
Account
Number
Deposit
Account
Name

02-4270

Brown Raysman Millstein

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 790	2001 395	Utility filing fee	
1002 350	2002 175	Design filing fee	
1003 550	2003 275	Plant filing fee	
1004 790	2004 395	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	

SUBTOTAL (1) (\$ 0

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20** =	X	
Multiple Dependent	-3** =	X	

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 88	2201 44	Independent claims in excess of 3
1203 300	2203 150	Multiple dependent claim, if not paid
1204 88	2204 44	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 0

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for <i>ex parte</i> reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 430	2252 215	Extension for reply within second month	
1253 980	2253 490	Extension for reply within third month	
1254 1,530	2254 765	Extension for reply within fourth month	
1255 2,080	2255 1,040	Extension for reply within fifth month	
1401 340	2401 170	Notice of Appeal	
1402 340	2402 170	Filing a brief in support of an appeal	
1403 300	2403 150	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	685
1453 1,370	2453 685	Petition to revive - unintentional	
1501 1,370	2501 685	Utility issue fee (or reissue)	
1502 490	2502 245	Design issue fee	
1503 660	2503 330	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 790	2809 395	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 790	2810 395	For each additional invention to be examined (37 CFR 1.129(b))	
1801 790	2801 395	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 685

SUBMITTED BY

Name (Print/Type) Todd A. Holmbo

Registration No. 42,665

(Complete (if applicable))

Telephone 973.775.8919

Signature

Todd A. Holmbo

Date

October 25, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS
SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	Eric A. Schon et al.	Group Art Unit:	1646
Serial No.:	10/655,999	Examiner:	Unknown
Filed:	September 5, 2003	Docket No.	5199-23
For:	METHODS FOR XENOTOPIC EXPRESSION OF NUCLEUS- ENCODED PLANT AND PROTIST PEPTIDES AND USES THEREOF		

October 25, 2004

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir/Madam:

**PETITION FOR REVIVAL OF A NONPROVISIONAL APPLICATION
FOR PATENT ABANDONED UNINTENTIONALLY
UNDER 37 C.F.R. §§ 1.137(b)**

The above-identified nonprovisional application became abandoned for failure to file a timely and proper reply to a Notice to File Missing Parts of Nonprovisional Application mailed on January 5, 2004. A Response to the Notice of Missing Parts is being filed concurrently at the following address: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. A copy of the Missing Parts response is attached hereto.

Since this utility application was filed after June 8, 1995, no terminal disclaimer is required.

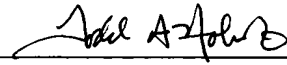
The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 C.F.R. § 1.137(b) was unintentional. Applicants hereby petition the Commissioner to revive the above-identified application under 37 C.F.R. § 1.137(b).

10/28/2004 AMONDAF1 00000055 024270 10655999

01 FC:2453 685.00 DA

The Commissioner is hereby authorized to charge Deposit Account No. 02-4270 for the petition fee of \$685.00, as set forth under 37 C.F.R. § 1.17(m). Authorization is also given to charge any additional fees that may be required or credit any overpayment to our Deposit Account 02-4270.

Respectfully submitted,

By: 
Todd A. Holmbo, Attorney for Applicants
Reg. No. 42,685

BROWN RAYSMAN MILLSTEIN
FELDER & STEINER LLP
163 Madison Avenue
P.O. Box 1989
Morristown, NJ 07962-1989
Telephone No: 973-775-8919
Facsimile No: 973-775-8901



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	Eric A. Schon et al.	Group Art Unit:	1646
Serial No.:	10/655,999	Examiner:	Unknown
Filed:	September 5, 2003	Docket No.	5199-23
For:	METHODS FOR XENOTOPIC EXPRESSION OF NUCLEUS- ENCODED PLANT AND PROTIST PEPTIDES AND USES THEREOF		

October 25, 2004

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir/Madam:

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF
NONPROVISIONAL APPLICATION AND REQUEST FOR
A FIVE (5) MONTH EXTENSION OF TIME**

Applicants are in receipt of the Notice to File Missing Parts of Nonprovisional Application dated January 5, 2004 (copy enclosed), and hereby request a five (5) month extension of time for filing a response. A Petition for Revival of a Nonprovisional Application for Patent Abandoned Unintentionally is being filed concurrently at the following address: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. A copy of the Petition for Revival is attached hereto.

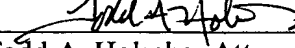
In response to the notification that the oath or declaration is missing, applicants enclose Declaration and Power of Attorney documents executed by the inventors Eric A. Schon and Joseline Ojaimi.

The Commissioner is hereby authorized to charge \$1,105.00 (including \$65.00 for the late declaration surcharge and \$1,040.00 for the 5 month extension of time) to

applicant's Deposit Account No. 02-4270. Authorization is also given to charge any additional fees that may be required or credit any overpayment to our Deposit Account 02-4270.

In view of the foregoing, it is submitted that the application is complete.

Respectfully submitted,

By: 
Todd A. Holmbo, Attorney for Applicants
Reg. No. 42,685

BROWN RAYSMAN MILLSTEIN
FELDER & STEINER LLP
163 Madison Avenue
P.O. Box 1989
Morristown, NJ 07962-1989
Telephone No: 973-775-8919
Facsimile No: 973-775-8901



APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/655,999	09/05/2003	Eric A. Schon	5199-23

Leslie Gladstone Restaino
163 Madison Avenue
P.O. Box 1989
Morristown, NJ 07962-1989

CONFIRMATION NO. 8821

FORMALITIES LETTER



OC000000011608366

Date Mailed: 01/05/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

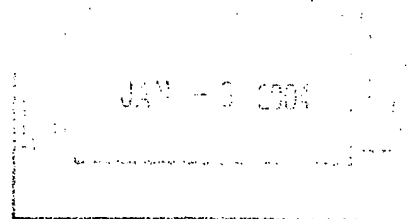
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$65** for a Small Entity

- **\$65** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450



A copy of this notice MUST be returned with the reply.

BE

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE